

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

GEORGIA CAMPBELL

PLAINTIFF

VERSUS

CIVIL ACTION NO. 4:05-CV-115 TSL-AGN

**BOARD OF TRUSTEES OF THE QUITMAN
SCHOOL DISTRICT AND CHARLES W.
SHEPHERD, superintendent in his official capacity
and individually**

DEFENDANTS

ORDER

This matter came before the court on the Defendants' Motion to Strike Amended Complaint and the Plaintiff's Motion for Leave to File Motion to Amend, Leave to File Complaint as Amended and Joinder in Defendants' Request for an Additional 10 Days in which to Respond. The basis of both Motions was the Plaintiff's filing an Amended Complaint after the Defendants' Answer was docketed, without first seeking leave of court. The Amended Complaint was filed on December 15, 2005, which was within the time set by the court's Case Management Plan Order. Since the Plaintiff has filed a Motion seeking leave to amend, the Defendants have withdrawn their objection to the Plaintiff's being permitted to do so.

IT IS, THEREFORE, ORDERED that the Defendants' Motion to Strike Amended Complaint is hereby **denied as moot**, and the Plaintiff's Motion for Leave to File Motion to Amend, Leave to File Complaint as Amended and Joinder in Defendants' Request for an Additional 10 Days in which to Respond is hereby **granted**.

IT IS FURTHER ORDERED that the Plaintiff shall file and serve her Amended Complaint, in the form attached to her Motion for Leave to amend her Complaint, on or before February 28, 2006. The Defendants shall respond to the Amended Complaint on or before March 14, 2006.

IT IS SO ORDERED, this the 8th day of February, 2006.

S/Alfred G. Nicols, Jr.
UNITED STATES MAGISTRATE JUDGE